

## UNITED STATES DISTRICT COURT

WESTERN

District of

ARKANSAS

UNITED STATES OF AMERICA  
V.**JUDGMENT IN A CRIMINAL CASE**  
(For **Revocation** of Probation or Supervised Release)

MAC DALE PENNINGTON

Case Number: 2:05CR20060-001

USM Number: 03187-063

David Dunnagin

Defendant's Attorney

**THE DEFENDANT:**

plead guilty to violation of condition(s) Standard Conditions #11 and #2; Standard Drug Condition and Special Condition #1 of the term of supervision.

was found in violation of condition(s) \_\_\_\_\_ after denial of guilt.

The defendant is adjudicated guilty of these violations:

| <b><u>Violation Number</u></b> | <b><u>Nature of Violation</u></b>  | <b><u>Violation Ended</u></b> |
|--------------------------------|--|-------------------------------|
| Standard Condition #11         | Failure to Notify Probation Officer of Arrest on March 10, 2006 in Franklin County, AR                                   | 03/10/2006                    |
| Standard Condition #2          | Failure to Report and Submit Written Report  | 04/2006                       |
| Standard Drug Condition        | Tested Positive for Methamphetamine 10/5, 20 & 26/2005   | 10/26/2005                    |
| Special Condition #1           | Failure to Complete Outpatient Treatment @ Harbor House and Failure to Report for Drug Testing @ Gateway 10/10 & 17/2006 | 10/17/2006                    |

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed by referring to the U.S. Sentencing Guidelines as only advisory within the statutory range for offense(s).

The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Defendant's Soc. Sec. No.: XXX XX-7162October 15, 2007

Date of Imposition of Judgment

Defendant's Date of Birth: XX/XX/1972/S/ Robert T. Dawson

Signature of Judge

Defendant's Residence Address:

XXXXXXXXXXXXXXXXXXXXHonorable Robert T. Dawson, United States District Judge

Name and Title of Judge

Mulberry, AR 72947October 16, 2007

Date

Defendant's Mailing Address:

Same as above

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## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total total term of : **thirty-six (36) months. No supervision will follow term of imprisonment.**

The court makes the following recommendations to the Bureau of Prisons:

**X** The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at \_\_\_\_\_  a.m.     p.m. on \_\_\_\_\_  
as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on \_\_\_\_\_.  
 as notified by the United States Marshal.  
 as notified by the Probation or Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

a \_\_\_\_\_ with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

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## **CRIMINAL MONETARY PENALTIES**

The defendant must pay the following total criminal monetary penalties under the schedule of payments set forth on Sheet 6.

- The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.
- The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

Name of Payee      Total Loss\*      Restitution Ordered      Priority or Percentage

**TOTALS**      \$ \_\_\_\_\_      **NET**      \$ \_\_\_\_\_

- Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_
- The defendant must pay interest on restitution or a fine more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
  - the interest requirement is waived for the  fine  restitution.
  - the interest requirement for the  fine  restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.